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December 13, 2023

VIA E-MAIL

Hon. Arun Subramanian
United States District Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, New York 10007

Re: *The Pinkfong Company, Inc. v. ADS-SS, et al.*
Case No. 23-cv-3793 (AS)
Letter Requesting Extension of Deadlines in Response to December 6, 2023 Order

Dear Judge Subramanian,

We represent The Pinkfong Company, Inc. (“Plaintiff”), in the above-referenced matter (the “Action”).¹ On November 8, 2023, the Court entered a default judgment and a permanent injunction against the defaulting Defendants (“Defaulting Defendants”). (Dkt. 47). On November 9, 2023, Plaintiff moved for an order reopening this case and directing the turnover of the Defaulting Defendants’ assets from Third Party Service Provider Amazon (“Turnover Motion”) (Dkts. 48-51). On December 6, 2023, the Court entered an Order (“December 6, 2023 Order”) directing Plaintiff to serve Amazon with the December 6, 2023 Order and its Turnover Motion by December 13, 2023, giving Amazon fourteen (14) days from the date of service to respond (“Amazon’s Response”) and further directing Plaintiff to submit a letter addressing the points raised in the December 6, 2023 Order and any response from Amazon by December 28, 2023 (“Plaintiff’s Response”). (Dkt. 52).

On December 6, 2023, pursuant to the alternative methods service authorized by the TRO (Dkt. 4) and PI Order (Dkt. 3), Plaintiff served Amazon with the December 6, 2023 Order. On December 12, 2023, Plaintiff’s counsel spoke with counsel for Amazon, and agreed to provide Amazon with an extension of time to file its response, if any, until at least mid-January. Therefore, Plaintiff respectfully requests an extension of time for Amazon to file Amazon’s Response, if any, as well as an extension of time for Plaintiff to file Plaintiff’s Response. In accordance with Your Honor’s Individual Rules of Practice, Plaintiff respectfully submits the following:

1. **Original Deadlines:** Amazon’s deadline to file Amazon’s Response is December 20, 2023. Plaintiff’s deadline to file Plaintiff’s Response is December 28, 2023.

¹ Where a defined term is referenced herein but not defined, it should be understood as it is defined in the Glossary in Plaintiff’s Complaint or Application.

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2. **The number of previous requests for adjournment or extension:** None, this is the first request for an extension of the deadlines discussed herein.
3. **Whether these previous requests were granted or denied:** N/A
4. **The reason for the requested extension:** In light of the fact that Plaintiff's counsel and Amazon's counsel are engaging in productive discussions, as well as in consideration of the current and upcoming holidays, Plaintiff respectfully requests an extension of time for Amazon to file Amazon's Response, if any, and an extension of time to file Plaintiff's Response.
5. **Whether the adversary consents:** As mentioned, Plaintiff's counsel is in contact with counsel for Amazon, who consented to the extensions requested herein.
6. **The date of the next scheduled appearance before the Court as well as any other existing deadlines:** The only existing deadlines in this Action are Amazon's Response and Plaintiff's Response.

Accordingly, Plaintiff respectfully proposes that the deadline for Amazon to file Amazon's Response be extended to January 17, 2024 and Plaintiff's deadline to file Plaintiff's Response be extended to January 26, 2024.

We thank the Court for its time and attention to this matter.

Plaintiff's motion is GRANTED. The Clerk of Court is directed to terminate the motion at ECF No. 53.

SO ORDERED.



Arun Subramanian, U.S.D.J.

Date: December 14, 2023

Respectfully submitted,

EPSTEIN DRANGEL LLP

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